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13
14 UNITED STATES DISTRICT COURT
15 FOR THE DISTRICT OF ARIZONA

16 In Re Bard IVC Filters Products
17 Liability Litigation

18 No. MD-15-02641-PHX-DGC

19
20 **PLAINTIFF'S MOTION TO SEAL**
PLAINTIFF'S RESPONSE IN
OPPOSITION TO MOTION FOR
SUMMARY JUDGMENT, SEPARATE
STATEMENT OF FACTS AND
EXHIBITS THERETO, AND
PLAINTIFF'S CONTROVERTING
STATEMENT OF FACTS AND
EXHIBITS THERETO

21 In accordance with Section 25 of the Stipulated Protective Order (Doc. 269),
22 Federal Rule of Civil Procedure 26(c)(1)(G), and Local Civil Rule 5.6, Plaintiffs move
23 this Court for an Order sealing Plaintiffs' unredacted Response in Opposition to Motion
24 for Summary Judgment, Plaintiff's Separate Statement of Facts and all exhibits thereto,
25 and Plaintiff's Controverting Statement of Facts and all exhibits thereto. These
26 documents contain or reference information designated as "Confidential Information"
27 under the Stipulated Protective Order, including confidential information and documents
28 relating to Plaintiff Debra Tinlin's medical conditions.

Plaintiff's personal healthcare information is protected under the Privacy Rule of

1 the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), 45 C.F.R. §
2 160, 164(A) & (E), as well as several state-law privileges. The knowing disclosure of
3 such information is prohibited by 42 U.S.C. § 1320d-6. This court has already granted the
4 filing under seal of the similar information when the parties submitted their respective
5 bellwether submissions. *See Doc. 4366.*

6 The parties have met and conferred and agree that Plaintiffs’ unredacted Response
7 in Opposition to Motion for Summary Judgment, Plaintiff’s Separate Statement of Facts
8 and all exhibits thereto, and Plaintiff’s Controverting Statement of Facts and all exhibits
9 thereto should be filed and maintained under seal. Based on the stipulation and the
10 parties’ consent to file the documents described above under seal for purposes of
11 consideration of the same, the parties jointly request that the exhibits be sealed.

12 RESPECTFULLY SUBMITTED this 1st day of March, 2019.

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of March, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Jessica Gallentine